

1 AN ACT concerning State finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing
5 Section 8h as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.

8 (a) Except as provided in subsection (b) and subsection (c)
9 of this Section, notwithstanding any other State law to the
10 contrary, the Governor may, through June 30, 2007, from time to
11 time direct the State Treasurer and Comptroller to transfer a
12 specified sum from any fund held by the State Treasurer to the
13 General Revenue Fund in order to help defray the State's
14 operating costs for the fiscal year. The total transfer under
15 this Section from any fund in any fiscal year shall not exceed
16 the lesser of (i) 8% of the revenues to be deposited into the
17 fund during that fiscal year or (ii) an amount that leaves a
18 remaining fund balance of 25% of the July 1 fund balance of
19 that fiscal year. In fiscal year 2005 only, prior to
20 calculating the July 1, 2004 final balances, the Governor may
21 calculate and direct the State Treasurer with the Comptroller
22 to transfer additional amounts determined by applying the
23 formula authorized in Public Act 93-839 to the funds balances
24 on July 1, 2003. No transfer may be made from a fund under this
25 Section that would have the effect of reducing the available
26 balance in the fund to an amount less than the amount remaining
27 unexpended and unreserved from the total appropriation from
28 that fund estimated to be expended for that fiscal year. This
29 Section does not apply to any funds that are restricted by
30 federal law to a specific use, to any funds in the Motor Fuel
31 Tax Fund, the Hospital Provider Fund, the Medicaid Provider
32 Relief Fund, or the Reviewing Court Alternative Dispute

1 Resolution Fund, or to any funds to which subsection (f) of
2 Section 20-40 of the Nursing and Advanced Practice Nursing Act
3 applies. Notwithstanding any other provision of this Section,
4 for fiscal year 2004, the total transfer under this Section
5 from the Road Fund or the State Construction Account Fund shall
6 not exceed the lesser of (i) 5% of the revenues to be deposited
7 into the fund during that fiscal year or (ii) 25% of the
8 beginning balance in the fund. For fiscal year 2005 through
9 fiscal year 2007, no amounts may be transferred under this
10 Section from the Road Fund, the State Construction Account
11 Fund, the Criminal Justice Information Systems Trust Fund, the
12 Wireless Service Emergency Fund, or the Mandatory Arbitration
13 Fund.

14 In determining the available balance in a fund, the
15 Governor may include receipts, transfers into the fund, and
16 other resources anticipated to be available in the fund in that
17 fiscal year.

18 The State Treasurer and Comptroller shall transfer the
19 amounts designated under this Section as soon as may be
20 practicable after receiving the direction to transfer from the
21 Governor.

22 (b) This Section does not apply to any fund established
23 under the Community Senior Services and Resources Act.

24 (c) At least 30 days before the Governor directs any
25 transfer under this Section, he or she must give advance
26 written notice of the transfer to the Commission on Government
27 Forecasting and Accountability, the State Comptroller, and the
28 State Treasurer. The State Comptroller and State Treasurer
29 shall not make any such transfer until 30 days after that
30 notice has been given.

31 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
32 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
33 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
34 1-15-05.)

35 Section 99. Effective date. This Act takes effect upon

1 becoming law.